



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** September 28, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Catherine VerEecke, Program Planner

**TITLE: CONSENT:** Cancellation of Special Use Permit for Three Single Family Dwellings and a Duplex (CZ-81-2)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Cancellation

### **SUMMARY:**

At the August 4, 2010 public hearing, the County Planning Commission voted (5-1; Commissioner Chavez opposed, Commissioner Melendrez excused) to recommend cancellation of a Special Use Permit for Three Single Family Dwellings and a Duplex on Tract 58C, MRGCD Map # 23, located at 10031 4<sup>th</sup> Street NW, zoned R-1, and containing approximately .78 acres. The decision was based on the following four (4) Findings.

#### **Findings:**

1. This is a request for the cancellation of a Special Use Permit for Three Single Family Dwellings and a Duplex on Tract 58C, MRGCD Map # 23, located at 10031 4<sup>th</sup> Street NW, zoned R-1, and containing approximately .78 acres.
2. This matter is a result of continued violations of the Special Use Permit (CZ-81-2) and the failure to comply with the site development plan approved by the Board of County Commissioners on 3/18/81. The violations have included the storage of inoperative/antique cars and firewood. It also appears that the approved uses no longer exist on the site, with the exception of one single-family dwelling unit.
3. On April 27, 2010 the Bernalillo Zoning Administrator notified the property owner of noncompliance with the provisions of the Special Use Permit, as described in Section 18.H. of the Comprehensive Zoning Ordinance of Bernalillo County.
4. This decision removes the Special Use Permit (CZ-81-2) from the property, and reverts the zoning on the site back to the underlying zoning designation of R-1 (Single-Family Residential).

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (August 4, 2010)
2. County Planning Commission Information Packet
3. Approved Site Plan, dated 3/18/81

**STAFF ANALYSIS SUMMARY****ZONING, BUILDING & PLANNING:**

Staff recommends Approval.

*VERSION 5.0*